



082137-0265292

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Han et al.

Application No.: 10/018,972

Filed: December 26, 2001

For: Compounds Obtained from Salvia Species Having Antiviral Activity

RECEIVED

OCT 17 2002

OFFICE OF PETITIONS

PETITION PURSUANT TO 37 CFR §1.47

Assistant Commissioner for Patents
BOX PETITIONS
Washington, DC 20231

OCT 17 2002

International Division

Sir:

This Petition is being submitted pursuant to 37 CFR §1.47 to request that the Patent Office accept the accompanying oath pursuant to §1.63 which only contains the signature of Paul Lee on behalf of the two inventors named. The undersigned respectfully aver that diligent efforts have been made by the Assignee, Georgetown University, as well as the undersigned, to locate the non-signing inventor, namely, Myun K. Han. The last known address of the non-signing inventor is contained in the §1.63 declaration provided herewith, executed only by Paul Lee.

Particularly, several telephone calls and faxes were sent by the undersigned to the last-known telephone number for this inventor, but were unanswered. Additionally, a copy of the declaration was sent to the inventor at their last known fax number, but was not returned or responded to.

More specifically, the undersigned respectfully aver that several attempts were made by the assignee and the undersigned to contact the non-signing inventor at the following telephone and fax numbers which have not been responded to:

301-572-7568 (Telephone)

410-244-0902 (Facsimile)

Further, a copy of the letter sent to our client, Georgetown University, providing the declaration and assignment on April 24, 2002, for obtaining the signatures of the inventors is attached hereto as Exhibit A, a second letter dated July 9, 2002, where we sent our client another copy of the declaration and assignment is attached as Exhibit B. As evidence that

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these documents were forwarded to the non-signing inventor, further attached as Exhibit C is a fax communication received from our client dated July 8, 2002, which includes a Declaration and Assignment for this application, and Exhibit D, a fax letter dated July 10, 2002 substantiating that while Dr. Han received these papers, he signed the Assignment (unwitnessed) he did not sign the Declaration.

Based on the foregoing, Applicant respectfully request that the §1.63 declaration by Paul Lee be accepted in lieu of a signed declaration by all the inventors, especially since Applicant provided the declaration to the non-signing inventor, but were unsuccessful in their attempts to get him to sign this document.

In accordance with §1.17(h) the requisite fee and five-month extension of time fee accompanies this Petition.

The Patent Office is further authorized to charge any additional fees that may be incurred to Applicants' Deposit Account 03-3975.

Respectfully submitted,

By: 
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Date: October 11, 2002